Remarks

The Applicant has carefully reviewed and considered the Examiner's Office Action dated February 3, 2006. Reconsideration is respectfully requested in view of the following comments.

By this Amendment, claims 1, 4, 6-8, 12-13, 15 and 19 are amended, claims 5, 14, and 18 are canceled, and new independent claims 20 and 21 are presented. Accordingly, Claims 1-4, 6-13, 15-17 and 19-21 are pending in the present application. This Amendment adds one independent claim greater than three and the $200.00 fee for the independent claim is authorized to be deducted from Deposit Account 22-0261.

Claims 4 and 13 were rejected under 35 U.S.C. §112, second paragraph for the reasons set forth in paragraph 6 of the Office Action. By the foregoing amendments to claims 4 and 13, the areas identified in the Office Action have been addressed. Accordingly, it is respectfully submitted that claims 4 and 13 are fully definite under 35 U.S.C. §112, second paragraph and withdrawal of that rejection is requested.

Claim 18 was rejected under 35 U.S.C. §101 for the reason stated in paragraph 8 of the Action. Claim 18 has been canceled by the foregoing amendments to the claims and claim 19 has been rewritten in independent form to recite the features of claim 18. Accordingly, it is submitted that the rejection under 35 U.S.C. §101 has been rendered moot.

Claims 1-2, 4-6, 8, 10, 12-14, 16 and 18-19 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Application No. 2001/0025288 to Yanase et al. (hereinafter referred to as "Yanase") for the reasons set forth in the paragraphs spanning pages 4-9 of the Action. This rejection is respectfully traversed.

Independent claim 1 recites:

> An information partitioning apparatus for partitioning information in an inputted electronic document, comprising:
>
> division pattern storing means for storing therein one or plural division patterns defining a predetermined character string which can be represented in a division line;
>
> document dividing means for applying the one or plural division patterns stored in the division pattern storing means to the inputted electronic document to divide the electronic document into plural partial documents;
>
> labeling pattern storing means for storing therein plural labeling patterns provided with classification information pieces for defining a predetermined character string which can specify classification; and
>
> labeling means for applying the labeling patterns stored in the labeling pattern storing means to the respective partial documents obtained by the division conducted by the document dividing means, respectively, to provide the classification information pieces.

Independent claim 12 recites:

> An information partitioning method for partitioning information in an inputted electronic document, comprising:
>
> a document dividing step of applying one or plural division patterns defining a predetermined character string which can be expressed in a division line to the electronic document inputted to divide the electronic document to plural partial documents; and
>
> a labeling step of applying labeling patterns provided with classification information pieces for defining a predetermined character string which can specify classification to the respective partial documents obtained by the division conducted in the document dividing step to provide the classification information pieces.

Yanase is directed to a device and method for presenting news information. That is, Yanase relates to a structure and a method adopted specifically with news information and does not disclose or imply in any way whatsoever an electronic document being divided and, at the same time, a label being attached to each divided portion of the electronic document. The Action states that Figs. 7-8 and paragraphs [0079]-[0084] of Yanase disclose the recited division pattern storing means and document dividing means

of original claim 1 or the document dividing step of claim 12 **and** the label pattern storing means for storing therein plural labels and the labeling means of original claim 5 and the labeling step of original claim 14. It is well established patent law that a single disclosed element cannot be used for two different elements of a claim. In this case, the Examiner has not identified what elements of Yanase meet the recited features, but merely states the same disclosure of Yanase meets two different recited features of the claims. Consequently, it is respectfully submitted that Yanase cannot anticipate independent claim 1 (which now includes the features of original claim 5) or independent claim 12 (which now includes the features of original claim 14). Since claims 2, 4-6, 8, and 10 depend from claim 1 and claims 13-14, 16 and 19 include the features of claim12, these claims also cannot be anticipated by Yanase for the reasons stated above. Accordingly, withdrawal of the rejection under 35 U.S.C. §102(b) is respectfully requested.

Claims 3 and 7 were rejected under 35 U.S.C. §103(a) as being unpatentable over Yanese for the reasons set forth in paragraph 12, spanning pages 9-10 of the Action. This rejection is respectfully traversed.

The present invention relates to a technology for optimally separating portions of an electronic document from an inputted electronic document that does not include distinct structure information, such as HTML tags or character font information. This is described in the present specification from page 2, line 10 to page 3, line 2. The present invention solves the problems of the prior art by providing a document dividing means to divide an inputted electronic document into plural partial documents by applying one or more division patterns stored therein, or, means for dividing document data based upon specific documents elements (e.g., words) or element accessory information (e.g.,

sentence portions). Yanase does not address the problems described in the Description of Related Art and this is not surprising as Yanase discloses news information, which has separators between articles. That is, Yanase is characterized in that the types of articles or electronic magazine contents are based upon the differences in the "document data structure information" corresponding to the individual sets of content and not the recited division pattern storing means, document dividing means based on the stored division patterns and labeling of the patterns as recited in independent claims 1 and 12. Accordingly, it is respectfully submitted that one of ordinary skill in the art would not have considered modifying Yanase to achieve the claimed invention as there is no teaching of the recited features of independent claims 1 and 12. Withdrawal of the rejection under 35 U.S.C. §103(a) is respectfully requested.

Claims 9, 11, 15 and 17 were rejected under 35 U.S.C. §103(a) as being unpatentable over Yanese in view of U.S. Patent Application Publication No. 2003/0007397 to Kobayashi et al. (hereinafter referred to as "Kobayashi") for the reasons set forth in paragraph 13, spanning pages 11-13 of the Action. This rejection is respectfully traversed.

The secondary reference to Kobayashi is directed to a document processing apparatus, document processing method, document processing program and recording medium. Similar to the prior art in the present application, Kobayashi employs structure information within the electronic document (e.g., tags) to divide the tagged areas into blocks. That is, Kobayashi relates to a method for cutting out slices of data so as to facilitate the reading aloud of text. Kobayashi does not disclose the division pattern storing means, document dividing means, label pattern storing means for storing therein

plural labels and the labeling means of 1 or the document dividing step and labeling step of claim 12. Consequently, even if combined Yanase and Kobayashi would not result in the claimed invention. Withdrawal of this rejection under 35 U.S.C. §103 (a) is respectfully requested.

In view of the above, it is submitted that Yanase either alone or in combination with Kobayashi does not disclose or suggest the following features of independent claims 1 and 12: 1) division pattern storing means, document dividing means, label pattern storing means for storing therein plural labels and the labeling means of claim 1; and 2) the document dividing step and the labeling step of claim 12. It is only Applicant's own disclosure that addresses the problem of providing an information partitioning apparatus which can divide respective information pieces in an electronic document which does not have clear structural information. Thus, it is respectfully submitted that the Action over extends the disclosure of the applied references and relies on impermissible hindsight to either indicate that passages of the applied references disclose the recited features of the claims or to modify the base reference as the applied references are not directed to the claimed invention. Reconsideration and allowance of claims 1-4, 6-13 and 14-21 of the present application are respectfully requested.

If the Examiner believes that a conference would help to advance the prosecution of the present application, he is requested to telephone the undersigned at the number below.

Respectfully submitted,

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